BILL NO. 2007-5

ORDINANCE NO.5893

3

AN ORDINANCE TO ALLOW THE USE "ACCESSORY MASSAGE" AS AN ACCESSORY USE IN CERTAIN ZONING DISTRICTS, AND TO PROVIDE FOR OTHER RELATED MATTERS.

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Sponsored by: Councilman Larry Brown

Summary: Allows the use "accessory massage" as an accessory use in certain zoning districts.

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THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN AS FOLLOWS:

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SECTION 1: Table 2 of the Land Use Tables adopted in Title 19, Chapter 4, Section 10, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to indicate that the use "Massage Establishment" is not permitted as an accessory use in the P-R, N-S, O and C-D Zoning Districts. In order to reflect the amendment, the row for the use "Massage Establishment" as it appears in the "Retail and Personal Services" element of the Land Use Tables is amended to read as follows:

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Massage R-CL R-MHP C-2 C-PB Establishment [A] [A] [A] c Description: A facility which is occupied and used for the purpose of practicing massage therapy as defined in LVMC Chapter 6.52. This use does not include the use "accessory massage," as defined in this Title. Conditional Use Regulations: The use shall comply with all applicable requirements of LVMC Title 6. The use must be located on a secondary thoroughfare or larger. The use may not be located within 400 feet of any church, synagogue, school, City park, child care facility, or any parcel zoned for residential use. The use may not be located within 1000 feet of any other massage establishment. The hours of operation shall be limited to the period between 8:00 a.m. and 9:00 p.m. Minimum Special Use Permit Requirements: The use shall comply with all applicable requirements of LVMC Title 6. The use must be located on a secondary thoroughfare or larger. The use may not be located within 400 feet of any church, synagogue, school, City park, child care facility, or any parcel zoned for residential use. The use may not be located within 1000 feet of any other massage establishment. The hours of operation shall be limited to the period between 8:00 a.m. and 9:00 p.m., unless further limited by the City Council on a case-by-case basis. On-site Parking Requirement: Two spaces for each massage room, massage table or massage chair, with a minimum of six spaces

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SECTION 2: Table 2 of the Land Use Tables adopted in Title 19, Chapter 4, Section 10, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to provide that the use "Accessory Massage" is permitted as an accessory use in the P-R, N-S, O, C-D, C-1, C-2, C-M and M Zoning Districts. In order to reflect the amendment, the Retail and Personal Services" element of the Land Use Tables is amended to add thereto a new row for the use, reading as follows:

USE		á L	s Ti		(5) (3)	RES	IDE	VITIA	L .	16.0		¥400.43	15.19 15.140	, c	ОММ	IERCL	AL .	9063450	INE	USTF	RIAL
Massage, Accessory	υ	R-A	R-E	R-D	R-1	R-CL	R-2	R-3	R-4	R-5	R-MH	R-MHP	P-R	N-S	O A	C-D	C-1	C-2 A	C-PB	C-M A	M
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SECTION 3: Title 19, Chapter 20, Section 20, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by amending the definition of the use "Massage Establishment" to read as follows:

"Massage Establishment" means a facility which is occupied and used for the purpose of practicing massage therapy as defined in LVMC Chapter 6.52. The term does not include the use "accessory massage," as defined in this Title.

SECTION 4: Title 19, Chapter 20, Section 20, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by adding, at the appropriate place, a new definition for the term "Accessory Massage," to be listed for alphabetical purposes as "Massage, Accessory," reading as follows:

- "Massage, Accessory" means the performing of massage therapy or therapeutic massage that:
 - (1) Is accessory to a principal permitted use that is one of the following:
 - (a) A medical office or physical rehabilitation clinic;

1	(b) A fitness and health center;
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	(c) A country club or golf course clubhouse;
3	(d) A hotel with more than one hundred rooms; or
4	(e) A facility similar in nature to any of the facilities listed above;
5	(2) Does not occupy more than one hundred fifty square feet of space; and
6	(3) Is not advertised on any exterior signage.
7	SECTION 5: For purposes of Section 2.100(3) of the City Charter, LVMC 19.04.010
8	and 19.20.020 are deemed to be subchapters rather than sections.
9	SECTION 6: If any section, subsection, subdivision, paragraph, sentence, clause or
10	phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or
11	ineffective by any court of competent jurisdiction, such decision shall not affect the validity or
12	effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the
13	City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision,
14	paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections,
15	subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional,
16	invalid or ineffective.
17	SECTION 7: All ordinances or parts of ordinances or sections, subsections, phrases,
18	sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada,
19	1983 Edition, in conflict herewith are hereby repealed.
20	PASSED, ADOPTED and APPROVED this 7th day of Manch, 2007.
21	APPROVED:
22	Du Bendhoh
23	By OSCAR B. GOODMAN, Mayor ATTEST:
24	$B_{\cdot \cdot \cdot} = A \times A_{\cdot \cdot} \times A_{\cdot} \times A_{\cdot \cdot} \times A_{\cdot} $
25	BARBARA JO RONEMUS, Cies Clerk
26	APPROVED AS TO FORM: By: Beverly K. Bridges, CMC Acting City Clerk
27	Date 1-23-07
28	Date

1	The above and foreg	oing ordinance was first proposed and read by title to the City Council
2	on the 7 th day of I	February, 2007, and referred to a committee for recommendation;
3	thereafter the comm	ittee reported favorably on said ordinance on the 7th day of March,
4	2007, which as a r	regular meeting of said Council; that at said regular meeting, the
5	proposed ordinance	was read by title to the City Council as first introduced and adopted by
6	the following vote:	
7	VOTING "AYE":	Mayor Goodman and Councilmembers Reese, Brown, Wolfson and Ross
8	VOTING "NAY":	Tarkanian
9	EXCUSED:	None
10	ABSTAINED:	None
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13		APPROVED:
14		James
15	4 TTTT CT	OSCAR B. GOODMAN, Mayor
16	ATTEST:	
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	BEVERLY K BRID	GES, Acting City Clerk
18	BEVERLY K BRID	GES, Acting City Clerk
18 19	BEVERLY K BRID	GES, Acting City Clerk
	BEVERLY K BRID	GES, Acting City Clerk
19	BEVERLY K BRID	GES, Acting City Clerk
19 20	BEVERLY K BRID	GES, Acting City Clerk
19 20 21	BEVERLY K BRID	GES, Acting City Clerk
19 20 21 22	BEVERLY K BRID	GES, Acting City Clerk
19 20 21 22 23	BEVERLY K BRID	GES, Acting City Clerk

AFFP DISTRICT COURT Clark County, Nevada

RECEIVED CITY CLERK

AFFIDAVIT OF PUBLICATION

2001 MAR -2 A 11: 06

STATE OF NEVADA) COUNTY OF CLARK) SS:

Stacey M Lewis, being 1st duly sworn, deposes and says: That she is the Legal Clerk for the Las Vegas Review-Journal and the Las Vegas Sun, daily newspapers regularly issued, published and circulated in the City of Las Vegas, County of Clark, State of Nevada, and that the advertisement, a true copy attached for,

LV CITY CLERK

1582971

was continuously published in said Las Vegas Review-Journal and / or Las Vegas Sun in 1 edition(s) of said newspaper issued from 02/23/2007 to 02/23/2007, on the following days:

02/23/2007

BILL NO. 2007-5

AN ORDINANCE TO ALLOW THE USE ACCESSORY MASSAGE AS AN ACCES-SORY USE IN CERTAIN ZONING DISTRICTS, AND TO PROVIDE FOR OTHER RELATED MATTERS

Sponsored by Council-man Larry Browns
Summary Allows the use
"accessors massage" as an accessors use in certain zoning districts.

At the City Council meeting of FEBRIJARY 7, 2007
BILL NO: 2007-5 WAS READ BY TITLE AND REFERRED TO A RECOMMENDING COMMITTEE

COPIES OF THE COMPLETE ORDINANCE ARE AVAIL-ABLE FOR PUBLIC INFOR-MATION IN THE OFFICE OF THE CITY CLERK, 13 FLOOR, 400 STEWART AV-ENUE, LAS YEGAS, NEVA-DAY THE COMPLET OF THE COMPLET OF THE COMPLET OF THE COMPLET OF T

PUB: February 23, 2007 LV Review-Journal

JANET EILEEN STANEK Notary Public State of Nevada No. 06-107924-1 My appt, exp. July 28, 2010

Signed:

SUBSCRIBED AND SWORN BEFORE ME THIS, THE

8th day of February 2007.

Notary Public

AFFP DISTRICT COURT Clark County, Nevada

RECEIVED CITY CLERK

AFFIDAVIT OF PUBLICATION

2007 MAR 19 A 10:56

STATE OF NEVADA) COUNTY OF CLARK) SS:

Stacey M Lewis, being 1st duly sworn, deposes and says: That she is the Legal Clerk for the Las Vegas Review-Journal and the Las Vegas Sun, daily newspapers regularly issued, published and circulated in the City of Las Vegas, County of Clark, State of Nevada, and that the advertisement, a true copy attached for,

LV CITY CLERK

2296311LV

1671663

was continuously published in said Las Vegas Review-Journal and / or Las Vegas Sun in 1 edition(s) of said newspaper issued from 03/10/2007 to 03/10/2007, on the following days:

03/10/2007

BILL NO. 2007-5 ORDINANCE NO. 5893

AN ORDINANCE TO ALLOW THE USE "ACCESSORY MASSAGE" AS AN ACCESSORY USE IN CERTAIN ZONING DISTRICTS, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Sponsored by: Council-man Larry Brown Summary: Allows the use "accessory massage" as an accessory use in cer-tain zoning districts:

tain zoning districts.

The above and foregoing ordinance was first proposed and read by title to the City Council on the 7th day of February 2007, and referred to a committee reported favorably on said region of the 7th day of March 2007. Which was a regular meeting of said City Councils and that at said regular meeting of the proposed ordinance was read by title to the City Council as first introduced and was adopted by the following vote:

VOTING "AYE": Mayor Goodman and Coun-clinembers Reese, Brown, Wofson, and Ross VOTING "NAY": Council-woman Tarkanian EXCUSED: None

COPIES OF THE COMPLETE ORDINANCE ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 1ST FLOOR, 400 STEWART AVENUE, LAS VEGAS, NEVADA.

PUB: March 10, 2007 LV Review-Journal

No. 06-107924-1 My appt. exp. July 28, 2010
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SUBSCRIBED AND SWORN BEFORE ME THIS, THE

day of March

2007.

Notary Public